

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15607 of 2026

Arising Out of PS. Case No.-145 Year-2025 Thana- Refinery District- Begusarai

Nitish Kumar S/O Umesh Sah Village- Bihat Jagir Tola, Ward no. 20, Police Station- F.C.I. (Barauni) District- Begusarai.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Ms. Anjana, Advocate

For the Opposite Party : Ms. Sangeeta Sharma, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 16-03-2026 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Refinery P.S. Case No.145 of 2025 registered for the offence under sections 109(1), 3(5) of the B.N.S., 2023 and 25(1-B)a, 26, 27 and 35 of the Arms Act.

3. The petitioner is alleged to be buying a country made pistol. The injured co-accused Suman Kumar was shot while testing the aforesaid country made pistol. The name of the petitioner has come in the self-inculpatory statement of said injured co-accused.

4. The petitioner is in custody since 02.01.2026. He claims clean antecedent.

5. Learned counsel for the petitioner submits



that the incident had occurred due to accidental firing and in fact, the petitioner himself took the injured to the hospital for treatment. He further submits that the pistol in question was recovered not from the conscious possession of the petitioner but from a jewellery shop and there is no specific allegation against the petitioner to have fired upon the injured with an intention to kill him.

6. Considering the submissions made on behalf of the petitioner and also the fact that the petitioner has clean antecedent, this bail application is allowed.

7. Let the petitioner, above named, be released on bail upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Begusarai / concerned Court below, in connection with Refinery P.S. Case No.145 of 2025.

8. This is also subject to the condition that the petitioner, after being released on bail, is directed to mark his attendance at F.C.I. (Barauni) Police Station, District- Begusarai on first and third Sunday of each month. Any default in appearance at the police station will result in cancellation of bail bonds of the petitioner.

9. As the petitioner claims to have clean



antecedent, the Court below, before accepting the bail bonds of the petitioner, shall verify the antecedent of the petitioner. The bail bonds of the petitioner shall only be accepted by the court below if it is found that he has clean antecedent.

(Sandeep Kumar, J)

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